

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

MARY A. KIZER,)	
)	
Plaintiff,)	
v.)	NO. CIV-04-1066-HE
)	
JO ANNE B. BARNHART, Commissioner)	
of the SOCIAL SECURITY ADMIN.,)	
)	
Defendant.)	

**ORDER FOR PAYMENT OF ATTORNEY'S FEES
PURSUANT TO THE EQUAL ACCESS TO JUSTICE ACT**

Before the Court is plaintiff's motion for attorney's fees pursuant to the Equal Access to Justice Act and for award of court costs [Doc. #24]. Plaintiff is requesting attorney's fees in the amount of \$5,105.10. Defendant has responded, stating she has no objection to plaintiff's request.

Accordingly, the Court **GRANTS** plaintiff's motion and awards her fees and costs in the amount of \$5,105.10, payable to the law firm of Perrine McGivern Redemann Reid Berry & Taylor, P.O. Box 1710, Tulsa, Oklahoma 74101. If attorney's fees are also awarded under 42 U.S.C. § 406(b)(1) of the Social Security Act, plaintiff's counsel shall refund the smaller award to plaintiff pursuant to Weakley v. Bowen, 803 F2d 575, 580 (10th Cir. 1986).

IT IS SO ORDERED.

Dated this 31st day of May, 2005.



JOE HEATON
UNITED STATES DISTRICT JUDGE